

Notice to Comply

O I P E
OCT 18 2001
PATENT

Application No.

09/621,781

Examiner

Bronwen M. Loeb

Applicant(s)

FISHER ET AL.

Art Unit

1636

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

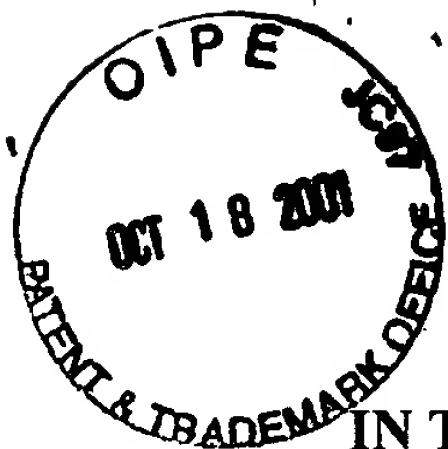
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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fisher et al.

Serial No.: 09/621,781

Filing Date: 7/21/00

Examiner: Loeb, B.M.

Group Art: 1636

#6a
Zeta
10-23-01

Title of Invention: IDENTIFICATION OF REGIONS OF THE RAT PEG-3 PROMOTER THAT
DISPLAY ELEVATED EXPRESSION IN HUMAN CANCER CELLS

RESPONSE TO NOTICE TO COMPLY,
SUBMISSION OF SEQUENCE LISTING
AND DECLARATION

I hereby certify that this paper is being deposited with the United States Postal
Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231

October 15, 2001

Date of Deposit

Alicia A. Russo

Attorney Name

Signature

46,192

PTO Registration No.

October 15, 2001

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Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

In response to a Notice to Comply with Requirements for Patent Applications
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures under 37 C.F.R.
§§1.821-1.825 mailed on June 15, 2001, please consider the following amendments and
remarks.